

### REMARKS

This communication responds to the Final Office Action dated June 22, 2009.

Claim 9 is amended. No claims are canceled or added by this Response. Claims 1-9 remain pending in this application.

#### Objections to the Drawings

The Examiner objected to the drawings. Specifically, the Examiner objected to Figures 1b and 2 because they are in the background section. Figures 1b and 2 include the label "Prior Art" to further prosecution of this application.

#### Examiner Interview

Applicant thanks Examiner Robert Stone for the courtesy of a telephonic interview on September 16, 2009 with Applicant's representative Paul Urbanski. The rejection to claim 9 and the objections to Figures 1b and 2 were discussed during the interview. However, no agreement was reached as to the patentability of claim 9 during the interview.

Claim 9 presently includes an amendment. Applicant believes the present amendment places claim 9 in condition for allowance. Consequently, Applicant respectfully requests allowance of the pending claims.

#### § 103 Rejection of the Claims

Claim 9 was rejected under 35 U.S.C. § 103(a) as being obvious over Ogusu (20020033782) in view of Iketsu (U.S. Patent No. 6,201,520). Claim 9 includes an amendment to clarify certain aspects of the present subject matter.

Applicant respectfully traverses the rejection and submits that claim 9 is not obvious in view of the cited portions of Ogusu and Iketsu because the cited portions of these documents and/or the reasoning of the Office Action do not disclose, among other things,

simultaneously driving a plurality of said column electrodes with a plurality of controlled column currents and a plurality of said row electrodes with a plurality of controlled row currents, said driving of said plurality of row electrodes being at the same time as said driving of said plurality of column electrodes,

as presently recited in claim 9.

Instead Ogusu and Iketsu refer to sequential, rather than simultaneous, scanning. (*See e.g.*, Ogusu ¶¶0003-0004, 00051 and Iketsu col. 6 lines 14-21.) Ogusu states that one of the anode lines and cathode lines is *sequentially* selected and scanned at a fixed time interval, and another line is driven by a drive source ... in synchronism with this scan line to cause a luminous element at a desired intersection of anode and cathode lines to emit light (*see*, Ogusu ¶0003). Note that Ogusu states that Figure 12b shows the state of the circuit when anode line A1 is driven to light element E2.1 (*see*, Ogusu ¶0010), and the elements being charged are parasitic capacitors and not a diode characteristic of the element. Thus, Figure 12b relates to only one anode being driven and not a plurality of electrodes.

Additionally, Applicant cannot find in the cited portions of Ogusu and Iketsu, simultaneously driving ... a plurality of said row electrodes with a plurality of controlled row currents ... using a controllable current mirror such that a sum of said column currents is divided between said row electrodes in a controllable variable ratio,

as recited in claim 9.

The Office Action concedes that Ogusu does not explicitly teach the switches being a controllable current mirror, but asserts that Iketsu discloses the switches comprising transistors 31 and 32 connected between the gate (which is a current mirror) function to regulate the controllable column currents. Applicant respectfully disagrees that transistors 31 and 32 function as a current mirror, but rather only function as switches. In a current mirror, if the base potential of two identical transistors are equal, then the controller-emitter currents of the transistor are equal – i.e., the controller-emitter current of a first device is mirrored in a second device. In Iketsu, transistors 31 and 32 are not identical; one transistor is a pnp type transistor and the other is an npn type transistor. Further, Iketsu states that one transistor is on while the other transistor is off (*see*, Iketsu col. 6 lines 14-24). Thus, transistors 31 and 32 do not function as a current mirror.

Therefore, the cited portions of Ogusu and Iketsu do not provide each and every element of claim 9. Consequently, withdrawal of the rejection and allowance of claim 9 is respectfully requested.

*Allowable Subject Matter*

Claims 1-8 were allowed. Applicant acknowledges the allowed subject matter with appreciation.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 371-2172 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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Date: October 19, 2009

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 19<sup>th</sup> day of October, 2009.

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